

EXHIBIT D

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**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION,

- and -

**PACIFIC GAS AND ELECTRIC
COMPANY,**

Debtors.

- ☐ Affects PG&E Corporation
☐ Affects Pacific Gas and Electric Company
☒ Affects both Debtors

** All papers shall be filed in the Lead Case,
No. 19-30088 (DM).*

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Case No. 19-30088 (DM)
Chapter 11
(Lead Case) (Jointly Administered)

**NOTICE OF DEBTORS' DESIGNATION
OF CLAIMS FILED BY THE UNITED
STATES OF AMERICA, THE STATE OF
CALIFORNIA AND ADVENTIST
HEALTH SYSTEM AS UNLIQUIDATED
AND SUBJECT TO ESTIMATION
UNDER SECTION 502(c) OF THE
BANKRUPTCY CODE**

Date: December 17, 2019
Time: 10:00 a.m. (Pacific Time)
Place: United States Bankruptcy Court
Courtroom 17, 16th Floor
San Francisco, CA 94102

1 **PLEASE TAKE NOTICE** that on January 29, 2019, PG&E Corporation and Pacific Gas
2 and Electric Company, as debtors and debtors in possession (collectively, the “**Debtors**”) in the
3 above-captioned chapter 11 cases, each filed a voluntary petition for relief under chapter 11 of title
4 11 of the United States Code with the United States Bankruptcy Court for the Northern District of
5 California (San Francisco Division) (the “**Court**”).

6 **PLEASE TAKE FURTHER NOTICE** that on July 18, 2019, the Debtors filed *Debtors’*
7 *Motion Pursuant to 11 U.S.C. §§ 105(a) and 502(c) for the Establishment of Wildfire Claims*
8 *Estimation Procedures*, (Dkt. 3091) (the “**Estimation Motion**”). The Estimation Motion sought
9 to establish the framework under which the Debtors aggregate liability for all contingent and/or
10 unliquidated claims arising out of the 2015, 2017 and 2018 Northern California Wildfires (the
11 “**Wildfires**” and the “**Wildfire Claims**”¹).

12 **PLEASE TAKE FURTHER NOTICE** that on August 21, 2019, the Court found that
13 “[b]ecause it would be impossible to liquidate thousands of tort claims in a matter of months, or
14 possibly years, [the Debtors] need[] to implement the bankruptcy procedure for estimation of its
15 unliquidated claims for its reorganization purposes.” (Dkt. 3648, Recommendation for Withdrawal
16 of Reference of Proceeding In Part at 3.) Judge James Donato of the United States District Court
17 for the Northern District of California (the “**District Court**”), accepted the Court’s
18 recommendation and ordered “the partial withdrawal of the reference of the Section 502(c)
19 estimation of unliquidated claims arising from the . . . [W]ildfires.” (Dist. Ct. Dkt. 2, Order
20 Adopting Recommendation for Withdrawal of Reference of Proceeding In Part; Order of
21 Assignment at 1.)

22 **PLEASE TAKE FURTHER NOTICE** that at the October 23, 2019 Omnibus Hearing,
23 the Debtors discussed with the Court a briefing schedule on the issue of whether claims asserted by
24 the United States of America (including any department, agency or instrumentality thereof,
25

26 ¹ As used in this notice and the Estimation Motion, the terms “**Wildfires**” and “**Wildfire**
27 **Claims**” refer to the 2015 Butte Fire, the 2018 Camp Fire and the following 2017 North Bay
28 Wildfires: (1) Adobe; (2) Atlas; (3) Blue; (4) Cascade; (5) Cherokee; (6) Highway 37;
(7) Honey; (8) La Porte; (9) Lobo; (10) Maacama; (11) McCourtney; (12) Norrbom; (13) Nuns;
(14) Oakmont/Pythian; (15) Partrick; (16) Pocket; (17) Point; (18) Potter/Redwood; (19) Pressley;
(20) Sullivan; (21) Sulphur and (22) Tubbs.

1 the “U.S.A.”), the State of California, (including any department, agency or instrumentality thereof,
2 the “**State**”), and Adventist Health System/West and Feather River Hospital d/b/a Adventist Health
3 Feather River (“**Adventist**”) (collectively with the Debtors, the “**Parties**”), are unliquidated and
4 subject to estimation under section 502(c) of title 11 of the United States Code (the “**Bankruptcy**
5 **Code**”). (Oct. 23, 2019 Hr’g Tr. at 45:18-55:20.)

6 **PLEASE TAKE FURTHER NOTICE** that on October 31, 2019, the Court entered the
7 *Order Establishing Pre-Confirmation Briefing and Hearing Schedule for Certain Legal Issues*
8 (Dkt. No. 4540) (the “**Order**”). The Order requires the Debtors to file a designation on
9 November 1, 2019, notifying the U.S.A., the State and Adventist, which of their asserted claims
10 the Debtors contend are unliquidated and subject to estimation under section 502(c) of the
11 Bankruptcy Code. (Dkt. No. 4540 at 2-3.)

12 **PLEASE TAKE FURTHER NOTICE** that in accordance with the Order, the Debtors
13 contend the following claims asserted by the U.S.A., the State and Adventist are unliquidated and
14 subject to estimation:

Entity ²	Fire(s)	Alleged Damages	Alleged Claim Amount
Federal Emergency Management System (FEMA)	Butte	Public and individual assistance, administrative costs	\$160,598,290.22
FEMA	Camp	Public and individual assistance, administrative costs	\$2,552,285,006.62
FEMA	North Bay Fires	Public and individual assistance, administrative costs	\$1,227,587,473.81
U.S. Department of Agriculture, Forest Service	El Portal	Suppression costs and interest and penalties	\$9,895,433.64
U.S. Department of Agriculture, Forest Service	El Portal	Damage to public lands	\$19,466,029.49

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28 ² On information and belief of the Debtors, each entity listed (other than Adventist) is a department, agency or instrumentality of the U.S.A. or the State.

Entity²	Fire(s)	Alleged Damages	Alleged Claim Amount
U.S. Department of Agriculture, Forest Service	Railroad	Suppression costs	\$21,029,700.59
U.S. Department of Agriculture, Forest Service	Railroad	Damage to public lands	\$76,554,779.95
U.S. Department of the Interior - Bureau of Land Management	Butte	Damage to public lands	\$31,469,881.00
U.S. Department of the Interior - Bureau of Land Management	Butte	Damage to public lands	\$31,469,881.00
U.S. Department of the Interior - Bureau of Land Management	Camp	Damage to public lands	\$7,721,234.36
U.S. Department of the Interior - Bureau of Land Management	Murphy	Suppression costs	\$81,167.00
U.S. Department of the Interior - National Park Service	Atlas	Suppression costs	\$9,368.42
U.S. Department of the Interior - National Park Service	Butte	Suppression costs	\$33,749.97
U.S. Department of the Interior - National Park Service	El Portal	Suppression costs	\$3,763,144.49
U.S. Department of the Interior - National Park Service	Murphy	Suppression costs	\$14,170.15
U.S. Department of the Interior - National Park Service	Railroad	Suppression costs	\$90,415.07

Entity ²	Fire(s)	Alleged Damages	Alleged Claim Amount
U.S. Department of the Interior - National Park Service	Tubbs	Suppression costs	\$102,302.81
U.S. on behalf of its Environmental Protection Agency & Department of Interior	N/A	Future costs (labor, oversight, regulatory compliance) associated with cleanup of hazardous materials	Undetermined
U.S. Small Business Administration	Camp	Administrative, travel and subsidy costs	\$27,774,829.00
U.S. Small Business Administration	North Bay Fires	Administrative, travel and subsidy costs	\$11,641,027.00
Adventist Health System	Camp	Property damage, business loss, lost wages and earning capacity, punitive damages, attorney's fees	\$1,012,061,204
California Department of Developmental Services	Camp, Nuns Norrbom	Evaluation and care of individuals with developmental disabilities and property damage	\$5,091,429.65
California Department of Forestry and Fire Protection	415	Suppression, administrative, accounting and investigation costs	\$6,043.70
California Department of Forestry and Fire Protection	Almond	Suppression, administrative, accounting and investigation costs	\$20,546.16
California Department of Forestry and Fire Protection	Atlas, Adobe, Norrbom, Nuns, Partrick, Pocket, Pressley, Pythian/Oakmont	Suppression, administrative, accounting and investigation costs	\$117,504,408.91
California Department of Forestry and Fire Protection	Benson	Suppression, administrative, accounting and investigation costs	\$125,730.70

Entity ²	Fire(s)	Alleged Damages	Alleged Claim Amount
California Department of Forestry and Fire Protection	Bissett	Suppression, administrative, accounting and investigation costs	\$1,685.80
California Department of Forestry and Fire Protection	Blue	Suppression, administrative, accounting and investigation costs	\$172,621.03
California Department of Forestry and Fire Protection	Butte	Suppression, administrative, accounting and investigation costs	\$104,545,284.20
California Department of Forestry and Fire Protection	Camp	Suppression, administrative, accounting and investigation costs	\$109,506,276.63
California Department of Forestry and Fire Protection	Cascade, La Porte, Lobo and McCourtney	Suppression, administrative, accounting and investigation costs	\$11,224,238.65
California Department of Forestry and Fire Protection	Cienega	Suppression, administrative, accounting and investigation costs	\$29,000,000.00
California Department of Forestry and Fire Protection	Corrine	Suppression, administrative, accounting and investigation costs	\$9,222,550.71
California Department of Forestry and Fire Protection	Country	Suppression, administrative, accounting and investigation costs	\$79,985.64
California Department of Forestry and Fire Protection	Harney	Suppression, administrative, accounting and investigation costs	\$5,162.11
California Department of Forestry and Fire Protection	Honey	Suppression, administrative, accounting and investigation costs	\$1,104,743.07
California Department of Forestry and Fire Protection	N/A	Post-petition attorney fees	\$82,857.25

Entity ²	Fire(s)	Alleged Damages	Alleged Claim Amount
California Department of Forestry and Fire Protection	Northridge	Suppression, administrative, accounting and investigation costs	\$4,235.29
California Department of Forestry and Fire Protection	Parkfield	Suppression, administrative, accounting and investigation costs	\$578,375.16
California Department of Forestry and Fire Protection	Saddle	Suppression, administrative, accounting and investigation costs	\$28,347.48
California Department of Forestry and Fire Protection	Sawmill	Suppression, administrative, accounting and investigation costs	\$3,524,693.08
California Department of Forestry and Fire Protection	Soda	Suppression, administrative, accounting and investigation costs	\$40,426.77
California Department of Forestry and Fire Protection	Sulfur	Suppression, administrative, accounting and investigation costs	\$2,925,443.59
California Department of Forestry and Fire Protection	Table	Suppression, administrative, accounting and investigation costs	\$109,753.52
California Department of Forestry and Fire Protection	Zenon	Suppression, administrative, accounting and investigation costs	\$174,341.81
California Department of Parks and Recreation	Camp	Supplies	\$14,914.95
California Department of Parks and Recreation	Camp	Event permit for power restoration	\$4,900.00
California Department of Parks and Recreation	Camp	Mitigation labor	\$5,691.33

Entity²	Fire(s)	Alleged Damages	Alleged Claim Amount
California Department of Parks and Recreation	Camp	Voyager cost for fuel used for mitigation	\$235.62
California Department of Parks and Recreation	Camp	Labor costs	\$122,102.52
California Department of Parks and Recreation	Camp	Travel expenses for employees	\$3,407.08
California Department of Parks and Recreation	Nuns and Tubbs	Loss of revenue at State Parks that were closed as a result of the fires	\$225,000.00
California Department of Parks and Recreation	Nuns and Tubbs	Fire rehabilitation	\$1,025,000.00
California Department of Parks and Recreation	Nuns and Tubbs	Property damage	\$8,580,898.00
California Department of Parks and Recreation	Nuns and Tubbs	Staff costs for property protection, safety, staffing and field patrols	\$1,029,600.00
California Department of Toxic Substances Control	Butte, Camp, Cascade, Laporte, Lobo, McCourtney, Redwood Valley and Sulphur	Environmental obligations and liabilities	\$7,166,391.29
California Department of Transportation	Camp	Emergency response, cleanup and repairs of infrastructure	\$217,044,048.00
California Department of Transportation	North Bay Fire	Emergency response, cleanup and repairs of infrastructure	\$7,587,178.97
California Department of Water Resources	N/A	Bond costs charged to PG&E customers	Additional Funds

Entity ²	Fire(s)	Alleged Damages	Alleged Claim Amount
California Governor's Office of Emergency Services	Butte	Public assistance	\$106,638,695.00
California Governor's Office of Emergency Services	Camp	Public assistance	\$2,345,617,675.00
California Governor's Office of Emergency Services	North Bay Fires	Public assistance	\$346,933,590.00
California State University, Chico	Camp	Property damage, loss of income, emergency operation center costs and labor costs	\$273,460.26
Department of Veterans Affairs of the State of California	Camp, Butte and Nuns	Property damage and debris removal	\$10,878,747.41

PLEASE TAKE FURTHER NOTICE that, for completeness, the Debtors have included in the foregoing list of claims all claims asserted against the Debtors that arise from a wildfire, including claims that do not arise from the Wildfires that are subject to the estimation proceedings before the District Court (the “**Additional Wildfire Claims**”³). The Debtors are not seeking to estimate the Additional Wildfire Claims in the estimation proceedings before the District Court, but reserve all rights related to the allowance or disallowance of the Additional Wildfire Claims and the determination of the amounts thereof.

PLEASE TAKE FURTHER NOTICE that claims filed against the Debtors in the above-captioned chapter 11 cases are still being processed and the Debtors hereby reserve their

³ The wildfires underlying the Additional Wildfire Claims include, but are not limited to, the following wildfires: (1) 415, (2) Almond, (3) Benson, (4) Bissett, (5) Cienega, (6) Corrine, (7) Country, (8) El Portal, (9) Harney, (10) Murphy, (11) Northridge, (12) Parkfield, (13) Railroad, (14) Saddle, (15) Sawmill, (16) Soda, (17) Table, and (18) Zenon.

1 rights to supplement the foregoing list of claims after reviewing any additional claims asserted by
2 the U.S.A., the State and Adventist after such claims are processed.

3 **PLEASE TAKE FURTHER NOTICE** that the foregoing list designating claims as
4 unliquidated does not constitute an admission on the part of the Debtors that any such claims
5 should be allowed in the amounts specified or in any amount at all. The Debtors hereby reserve
6 all rights to object to any and all claims in the foregoing list on any ground contemplated by
7 section 502(b) of the Bankruptcy Code or any other applicable law.

8 **PLEASE TAKE FURTHER NOTICE** that copies of the pleadings and other documents
9 for the above-captioned cases can be viewed and/or obtained: (i) by accessing the Court's
10 website at <http://www.canb.uscourts.gov>, (ii) by contacting the Office of the Clerk of the Court at
11 450 Golden Gate Avenue, San Francisco, CA 94102, or (iii) from the Debtors' notice and claims
12 agent, Prime Clerk LLC, at <https://restructuring.primeclerk.com/pge> or by calling (844) 339-4217
13 (toll free) for U.S.-based parties; or +1 (929) 333-8977 for International parties or by e-mail at:
14 pgeinfo@primeclerk.com. Note that a PACER password is needed to access documents on the
15 Court's website.

16
17 Dated: November 1, 2019

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19 **WEIL, GOTSHAL & MANGES LLP**
20 **CRAVATH, SWAINE & MOORE LLP**
21 **KELLER & BENVENUTTI LLP**

22 /s/ Paul H. Zumbro
23 Paul H. Zumbro

24 *Counsel for the Debtors and Debtors in Possession*
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